

108TH CONGRESS
1ST SESSION

H. R. 2297

To amend title 38, United States Code, to modify and improve certain benefits for veterans, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 2, 2003

Mr. SMITH of New Jersey (for himself, Mr. EVANS, Mr. BROWN of South Carolina, and Mr. MICHAUD) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to modify and improve certain benefits for veterans, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. EXPANSION OF MONTGOMERY GI BILL EDU-**
4 **CATION BENEFITS FOR CERTAIN SELF-EM-**
5 **PLOYMENT TRAINING.**

6 (a) SELF-EMPLOYMENT TRAINING.—Subparagraph
7 (B) of section 3002(3) of title 38, United States Code,
8 is amended—

9 (1) by striking “and” at the end of clause (i);

10 and

1 (2) by adding at the end the following new
2 clause:

3 “(iii) a program of self-employment
4 on-job training approved as provided in
5 section 3677(d) of this title; and”.

6 (b) PROGRAM APPROVAL.—Section 3677 of such title
7 is amended—

8 (1) in subsections (a) and (c), by inserting
9 “self-employment on-job training or” after “(other
10 than a program of”;

11 (2) in subsection (b)(1), by inserting “described
12 in subsection (a)” after “offering training”; and

13 (3) by adding at the end the following new sub-
14 section:

15 “(d)(1) Any State approving agency may approve a
16 program of self-employment on-job training for purposes
17 of chapter 30 of this title only when the agency finds that
18 the training is generally recognized as needed or accepted
19 for purposes of obtaining licensure to engage in a self-
20 employment occupation or is required for ownership and
21 operation of a franchise that is the objective of the train-
22 ing.

23 “(2) The training entity offering the training for
24 which approval is sought under this chapter must submit
25 to the State approving agency a written application for

1 approval, in such form and with such content as the Sec-
2 retary may specify, including such information as is re-
3 quired by the State approving agency.

4 “(3) As a condition for approving a program of self-
5 employment on-job training, the State approving agency
6 must find that the following criteria are met:

7 “(A) The training content is adequate to qual-
8 ify the eligible individual for the self-employment oc-
9 cupation that is the objective of the training.

10 “(B) The training consists of full-time training
11 for a period of less than six months.

12 “(C) The length of the training period is not
13 longer than that customarily required to obtain the
14 knowledge, skills, and experience needed to success-
15 fully engage in the particular self-employment occu-
16 pation that is the objective of the training.

17 “(D) The training entity has adequate instruc-
18 tional space, equipment, materials, and personnel to
19 provide satisfactory training on the job.

20 “(E) The training entity maintains adequate
21 records of each trainee’s progress toward the self-
22 employment objective and, at the successful comple-
23 tion of the training, issues a license, certificate, or
24 other document recording the individual’s successful
25 completion of the training program.

1 “(F) The training entity and the self-employ-
 2 ment on-job training program meet such other cri-
 3 teria as the Secretary may prescribe and as the
 4 State approving agency, with the approval of the
 5 Secretary, may establish.”.

6 (c) CONFORMING AMENDMENT.—Paragraph (2) of
 7 section 3687(a) of such title is amended by inserting “sub-
 8 sections (a), (b), and (c) of” before “section 3677”.

9 (d) EFFECTIVE DATE.—The amendments made by
 10 this section shall take effect on the date that is 6 months
 11 after the date of the enactment of this Act, and shall apply
 12 to self-employment on-job training approved and pursued
 13 on or after that date.

14 **SEC. 2. EXTENSION OF VETERANS’ ADVISORY COMMITTEE**
 15 **ON EDUCATION.**

16 (a) EXTENSION.—Subsection (c) of section 3692 of
 17 title 38, United States Code, is amended by striking “De-
 18 cember 31, 2003” and inserting “December 31, 2009”.

19 (b) MODIFICATION OF MEMBERSHIP REQUIRE-
 20 MENTS.—The second sentence of subsection (a) of such
 21 section is amended by striking “World War II, the Korean
 22 conflict era, the post-Korean conflict era,”.

23 (c) TECHNICAL AMENDMENT.—Such section is fur-
 24 ther amended by striking “chapter 106” each place it ap-
 25 pears and inserting “chapter 1606”.

1 **SEC. 3. REPEAL OF EDUCATION LOAN PROGRAM.**

2 (a) **TERMINATION OF PROGRAM.**—No loans shall be
3 made under subchapter III of chapter 36 of title 38,
4 United States Code, after the date of the enactment of
5 this Act, and such subchapter shall be repealed 90 days
6 after such date of enactment.

7 (b) **CLOSING OF LOAN FUND.**—All monies in the re-
8 volving fund established in the Treasury of the United
9 States of America known as the “Department of Veterans
10 Affairs Education Loan Fund” (the “Fund”) on the day
11 before the date of repeal of such subchapter III shall be
12 transferred to the Department of Veterans Affairs Read-
13 justment Benefits Account, and the Fund shall be closed.

14 (c) **DISCHARGE OF LIABILITY.**—The liability on any
15 education loan debt outstanding under such subchapter
16 III shall be discharged, and any overpayments declared
17 under section 3698(e)(1) of that subchapter shall be
18 waived without further process on the date funds are
19 transferred as referred to in subsection (b) of this section.

20 (d) **TECHNICAL AMENDMENT.**—On the date of repeal
21 of such subchapter III, as provided herein, the table of
22 sections at the beginning of chapter 36 shall be amended
23 by striking the items relating to subchapter III.

24 (e) **CONFORMING AMENDMENTS.**—(1) Section
25 3462(a) of title 38, United States Code, is amended by
26 striking paragraph (2).

1 (2) Section 3485(e)(1) of such title is amended by
2 striking “(other than an education loan under subchapter
3 III)”.

4 (3) Section 3512 of such title is amended by striking
5 out subsection (f).

6 (4) The amendments made by paragraphs (2) and (3)
7 shall take effect 90 days after the date of the enactment
8 of this Act.

9 **SEC. 4. PERMANENT AUTHORITY FOR STATE CEMETERY**
10 **GRANTS.**

11 Paragraph (2) of section 2408(a) of title 38, United
12 States Code, is amended—

13 (1) by striking “through fiscal year 2004”; and

14 (2) by adding at the end “Funds appropriated
15 under the preceding sentence shall remain available
16 until expended.”.

17 **SEC. 5. FORFEITURE OF BENEFITS FOR SUBVERSIVE AC-**
18 **TIVITIES.**

19 (a) **ADDITION OF CERTAIN OFFENSES.**—Paragraph
20 (2) of section 6105(b) of title 38, United States Code, is
21 amended—

22 (1) by inserting “175, 229,” after “sections”;
23 and

24 (2) by inserting “831, 1091, 2332a, 2332b,”
25 after “798,”.

1 (b) EFFECTIVE DATE.—The amendments made by
2 subsection (a) shall apply to claims filed after the date
3 of the enactment of this Act.

4 **SEC. 6. EXTENSION OF MAINTENANCE REGIONAL OFFICE**
5 **IN THE REPUBLIC OF THE PHILIPPINES.**

6 Section 315(b) of title 38, United States Code, is
7 amended by striking “December 31, 2003” and inserting
8 “December 31, 2005”.

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